IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

INSURANCE APPEAL No.31 of 2005

I.C.74/2002 OF THE EMPLOYEES' INSURANCE COURT, PALAKKAD.

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APPELLANT/APPLICANT:-

M/S. SAJ BATTERIES PVT. LTD.,
NORTH BEYPORE, KOZHIKODE,
REPRESENTED BY ITS MANAGING DIRECTOR, K.V. JOSEPH.

BY ADV. SRI.M.B.PRAJITH

RESPONDENT: RESPONDENT:-

REGIONAL DIREDTOR,
E.S.I. CORPORATION, PANCHADWEEP BHAVAN,
TRICHUR-20.

BY STANDING COUNSEL SRI.P.SANKARANKUTTY NAIR.

THIS INSURANCE APPEAL HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:-

K.Padmanabhan Nair,J.

Insurance Appeal No.31 of 2005

Dated, this the 12th day of March, 2007

JUDGMENT

The owner of an establishment has filed this appeal challenging an order passed by the Employees' Insurance Court, Palakkad by which it was held that the establishment of the appellant will also be covered under the Employees State Insurance Act as it is an establishment using power and has engaged more than 10 employees.

2. The appellant is running Saj Batteries Private Ltd., which is an establishment manufacturing and selling batteries. The materials on record shows that the appellant's establishment is using power. Relying on the evidence adduced by both sides, the Employees' Insurance Court had found that more than 10 persons are employed in the establishment. These are findings of fact, based on good evidence. There is no question of law much less substantial question of law arises for consideration in this appeal. So, this appeal is only to be dismissed.

In the result, the appeal is dismissed.

K.Padmanabhan Nair
Judge

vku/-